

STATE OF CALIFORNIA
FISH AND GAME COMMISSION
INITIAL STATEMENT OF REASONS FOR REGULATORY ACTION
(Pre-publication of Notice Statement)

Amend Section 7.00, Title 14, CCR
Re: Inland Coho Salmon Sport Fishing Regulations

- I. Date of Initial Statement of Reasons: January 7, 2003
- II. Dates and Locations of Scheduled Hearings:
 - (a) Notice Hearing: Date: February 7, 2003
Location: Sacramento
 - (b) Discussion Hearing: Date: April 3, 2003
Location: Visalia
 - (c) Discussion Hearing: Date: May 6, 2003
Location: Riverside
 - (d) Adoption Hearing: Date: May 6, 2003
Location: Riverside
- III. Description of Regulatory Action:
 - (a) Statement of Specific Purpose of Regulation Change and Factual Basis for Determining that Regulation Change is Reasonably Necessary:

Necessity

Current regulations prohibit the take of silver (coho) salmon in any waters of the State. The intent of this regulation is to protect federally Threatened coho salmon in native anadromous waters. The current regulation inadvertently prohibits the take of a domestic strain of coho salmon stocked in Lakes Oroville under the management of the Department's Inland Salmon Program. This program provides for enhanced trout-type fisheries in selected lakes and reservoirs. Lake Oroville, has been recently stocked with a domesticated strain of coho salmon that are resistant to a disease that has affected other salmonids stocked in the lake. Coho salmon are expected to provide quality fishing opportunities in Lake Oroville not achievable with other salmonid species. No other lakes or reservoirs within the State currently contain stocked domestic coho salmon.

The Department is proposing to amend Section 7.00 to clarify that coho salmon may not be taken from any water of the State, except Lake Oroville. This proposed regulation change would have no effect on current protections or recovery efforts of coho salmon

in native habitats throughout the State.

- (b) Authority and Reference Sections from Fish and Game Code for Regulation:

Authority: Sections 200, 202, 205, 220, and 240 Fish and Game Code.

Reference: Sections 200, 205 and 206 Fish and Game Code.

- (c) Specific Technology or Equipment Required by Regulatory Change: None.

- (d) Identification of Reports or Documents Supporting Regulation Change: None.

- (e) Public Discussions of Proposed Regulations Prior to Notice Publication:

Dates and Locations of Scheduled Hearings:

Notice Hearing: Date: February 6, 2003

Location: Sacramento

IV. Description of Reasonable Alternatives to Regulatory Action:

- (a) Alternatives to Regulation Change: None was identified.
- (b) No Change Alternative: The changes are necessary to clarify the regulations and to eliminate needless restrictions.
- (c) Consideration of Alternatives: In view of information currently possessed, no reasonable alternative considered would be more effective in carrying out the purposes for which the regulation is proposed or would be as effective and less burdensome to the affected private persons than the proposed regulation.

V. Mitigation Measures Required by Regulatory Action:

The proposed regulatory action will have no negative impact on the environment; therefore, no mitigation measures are needed.

VI. Impact of Regulatory Action:

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following initial determinations relative to the required statutory categories have been made:

- (a) Significant Statewide Adverse Economic Impact Directly Affecting Businesses, Including the Ability of California Businessmen to Compete with Businesses in Other States: The proposed action will not have a significant statewide adverse economic impact affecting businesses, including the ability of California businesses to compete with businesses in other states. The changes are primarily for clarification, and they will have no substantial influence on human activities.
- (b) Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California: None.
- (c) Cost Impacts on Private Persons: The agency is not aware of any cost impacts that a representative private person would necessarily incur in reasonable compliance with the proposed action.
- (d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None.
- (e) Other Nondiscretionary Costs/Savings to Local Agencies: None.
- (f) Programs Mandated on Local Agencies or School Districts: None.
- (g) Costs Imposed on Any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4: None.
- (h) Effect on Housing Costs: None.

Informative Digest/Policy Statement Overview

Current regulations prohibit the take of silver (coho) salmon in any waters of the State. The intent of this regulation is to protect federally Threatened coho salmon in native anadromous waters. The current regulation inadvertently prohibits the take of a domestic strain of coho salmon stocked in Lakes Oroville under the management of the Department's Inland Salmon Program. This program provides for enhanced trout-type fisheries in selected lakes and reservoirs. Lake Oroville, has been recently stocked with a domesticated strain of coho salmon that are resistant to a disease that has affected other salmonids stocked in the lake. Coho salmon are expected to provide quality fishing opportunities in Lake Oroville not achievable with other salmonid species. No other lakes or reservoirs within the State currently contain stocked domestic coho salmon

The Department is proposing to amend Section 7.00 to clarify that coho salmon may not be taken from any water of the State, except Lake Oroville. This proposed regulation change would have no effect on current protections or recovery efforts of coho salmon in native habitats throughout the State.